

Senate Amendment 3113

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1 1 Amend Senate File 383 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 1 5 by adding the following new subsections:
1 6 NEW SUBSECTION. 26. Adopt rules setting forth the
1 7 academic policies and operational procedures for the
1 8 Iowa virtual academy established pursuant to section
1 9 256.24 and identifying the responsibilities of the
1 10 school districts that utilize the academy.
1 11 NEW SUBSECTION. 27. Adopt rules and establish a
1 12 policy for students enrolled in kindergarten through
1 13 grade six relating to the use of instructional
1 14 technology in meeting the minimum educational
1 15 standards for accreditation.
1 16 Sec. 2. NEW SECTION. 256.24 IOWA VIRTUAL
1 17 ACADEMY.
1 18 1. If funds are sufficient from a source other
1 19 than the general fund of the state, an Iowa virtual
1 20 academy is established within the department of
1 21 education to provide secondary students with access to
1 22 quality courses delivered through instructional
1 23 technology including, but not limited to, web-based
1 24 and Iowa communications network applications. The
1 25 academy shall serve as a central resource,
1 26 clearinghouse, and provider of on-line and interactive
1 27 video learning opportunities for students, educators,
1 28 school districts, and accredited nonpublic schools.
1 29 The department is responsible for the development,
1 30 regulation, and improvement of the academy. The
1 31 academy shall collaborate with school districts,
1 32 accredited nonpublic schools, area education agencies,
1 33 and Iowa accredited higher education institutions in
1 34 order to provide quality learning opportunities for
1 35 secondary students who are located anywhere in the
1 36 state, and who have a variety of educational needs, to
1 37 prepare them for postsecondary academic or vocational=
1 38 technical pursuits. For purposes of this section,
1 39 "secondary students" means students in grades seven
1 40 through twelve.
1 41 2. The director shall appoint the administrator of
1 42 the academy in accordance with section 256.9,
1 43 subsection 4. The administrator, subject to approval
1 44 by the director, may do the following:
1 45 a. Establish a review process for approval of
1 46 academy courseware providers. The state board shall
1 47 approve and prescribe by administrative rule the
1 48 process by which courseware and providers may be
1 49 obtained.
1 50 b. Secure services through a variety of education
2 1 providers to provide teachers and curriculum for
2 2 academy courses. The administrator may also secure
2 3 services through an area education agency for staff
2 4 development opportunities for academy teachers.
2 5 c. Develop evaluation procedures that will measure
2 6 the effects of instruction provided by means of the
2 7 academy on student achievement.
2 8 d. Except as authorized in section 261C.4 and
2 9 section 257.11, subsection 3, establish enrollment
2 10 fees school districts and accredited nonpublic schools
2 11 are responsible for paying on behalf of their
2 12 students. The administrator may waive all or part of
2 13 the enrollment fee for school districts and accredited
2 14 nonpublic schools that offer courses through the
2 15 academy.
2 16 e. Provide for determination of student grade
2 17 percentages and grades and award credits and grades to
2 18 students participating in the academy. The provider
2 19 shall cooperate with the resident school district or
2 20 accredited nonpublic school of enrollment to provide
2 21 or assign the appropriate credit or grade to
2 22 participating students. This paragraph shall apply
2 23 only to those courses for which a student may earn
2 24 credit toward high school graduation.
2 25 3. Curriculum authorized for credit or grades

2 26 through the academy shall be taught by a teacher
2 27 licensed under chapter 272 who is responsible for
2 28 teaching, assignments, and assuring all coursework is
2 29 completed.

2 30 4. A school district or accredited nonpublic
2 31 school may access courses delivered through the use of
2 32 instructional technology to meet up to twenty percent
2 33 of the course offerings required to meet the
2 34 educational standards for secondary schools as
2 35 provided in section 256.11. Except as otherwise
2 36 specified under a contract entered into in accordance
2 37 with subsection 2, the school district, or the
2 38 accredited nonpublic school, as appropriate, is
2 39 responsible for, at a minimum, supervising students
2 40 enrolled in the school district, or in the accredited
2 41 nonpublic school, who participate in a course offered
2 42 through the academy, providing a student receiving
2 43 courseware through the academy with access to student
2 44 services the school district or accredited nonpublic
2 45 school provides to its general student population, and
2 46 providing a student with access to a computer with
2 47 internet connectivity during the school day or with
2 48 access to other electronic equipment as the academy
2 49 deems necessary.

2 50 5. Accredited higher education institutions
3 1 located in Iowa offering courses authorized under
3 2 section 261C.4, or classes offered through a sharing
3 3 agreement between a school district and a community
3 4 college pursuant to section 257.11, subsection 3, may
3 5 be listed in the academy course catalog at no cost to
3 6 the institution. Nothing in this section shall be
3 7 construed to prohibit a school district or accredited
3 8 nonpublic school from using telecommunications as an
3 9 instructional tool in accordance with section 256.7,
3 10 subsection 7, or delivering its own web-based courses
3 11 to students or schools located within or without this
3 12 state.

3 13 6. Academy courseware utilized by a school
3 14 district or accredited nonpublic school shall be
3 15 included in the district's or school's comprehensive
3 16 school improvement plans and meet the district's or
3 17 school's school improvement goals developed in
3 18 accordance with section 256.7, subsection 21.

3 19 7. The state board shall set enrollment fees by
3 20 rule, in accordance with section 256.7, subsection 26.
3 21 The department may retain fees collected to administer
3 22 the Iowa virtual academy and the fees retained are
3 23 appropriated to the department for the purposes of
3 24 administering this section. Notwithstanding section
3 25 8.33, fees that remain unexpended at the end of the
3 26 fiscal year shall not revert to the general fund of
3 27 the state but shall be available for use for the
3 28 following fiscal year to administer the academy.

3 29 8. Not later than January 15, annually, the
3 30 department shall submit to the chairpersons and
3 31 ranking members of the senate and house committees on
3 32 education a report of academy activities, fees
3 33 collected and funds expended for the operation of the
3 34 academy, and budget projections for the anticipated
3 35 activities of the academy in subsequent years. The
3 36 department shall investigate expansion of the
3 37 activities of the academy to other state agencies and
3 38 institutions, including, but not limited to, the
3 39 department of corrections for purposes of meeting the
3 40 requirements of section 904.516. Recommendations for
3 41 expansion of the academy's activities shall be
3 42 included in the annual report submitted pursuant to
3 43 this subsection.

3 44 Sec. 3. Section 272.2, Code 2003, is amended by
3 45 adding the following new subsection:

3 46 NEW SUBSECTION. 17. License individuals from
3 47 Iowa, or another state, territory, federal district,
3 48 or country, to teach courses delivered using
3 49 instructional technology including, but not limited
3 50 to, web-based and Iowa communications network
4 1 applications.

4 2 Sec. 4. EMERGENCY RULES. The state board of
4 3 education may adopt emergency rules under section
4 4 17A.4, subsection 2, and section 17A.5, subsection 2,
4 5 paragraph "b", to implement the provisions of this Act
4 6 and the rules shall be effective immediately upon

4 7 filing unless a later date is specified in the rules.
4 8 Any rules adopted in accordance with this section
4 9 shall also be published as a notice of intended action
4 10 as provided in section 17A.4.
4 11 Sec. 5. EFFECTIVE DATE. This Act, being deemed of
4 12 immediate importance, takes effect upon enactment.>
4 13 #2. Title page, by striking lines 1 through 4 and
4 14 inserting the following: 4 15 establishment of an Iowa virtual academy, authorizing
4 16 the board of educational examiners to license
4 17 instructors of internet courses, and providing an
4 18 effective date.>
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